

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY
JULY 25, 2016**

Members Present: R. Michael Sullivan, Chairman
Craig J. Dutra, Vice Chairman
Steven J. Ouellette
Antone C. Vieira Jr.
Shana M. Shufelt, Clerk

Also Present: Timothy J. King, Town Administrator

Chairman Sullivan called the Board of Selectmen meeting to order at 5:38 P.M. in the Westport Town Hall, 816 Main Road, Westport, MA.

5:38 PM – Executive Session

Motion made by Mr. Dutra to enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21 to discuss/investigate charges of criminal misconduct or to consider the filing of criminal complaints; to discuss negotiations with respect to solar pilot; and to approve Executive Session Minutes of May 31, 2016 and June 13, 2016; vote to release Executive Session Minutes (2013, 2014, 2015). Second by Mr. Ouellette. The Board voted unanimously in favor.

Roll Call Vote: Mr. Dutra-aye. Mr. Ouellette-aye. Ms. Shufelt-aye. Mr. Vieira-aye. Mr. Sullivan-aye.

Mr. Sullivan announced that the Board would return to Open Session following the Executive Session.

6:25 PM Open Session

Pledge of Allegiance

Chairman's Announcement - Under MGL Chapter 30A, section 20(f) – Meeting being recorded.

Public and Board Member Comment

At this time, Mr. Sullivan stated the Board of Selectmen have just held an Executive Session regarding the situation at 465 American Legion Highway and the Board would like to make a public statement. (see attached).

Acknowledgments & Recognitions – None.

Appointments and/or Resignations

1. **Motion** made by Ms. Shufelt to appoint the following Finance Committee Representatives as follows: Gary Carreiro and Karen Powell – ADA Transition Plan Committee, Kevin Rioux – Agricultural/Open Space Preservation Trust Fund, Richard Brewer – Capital Improvements Planning Committee, Gary Carreiro – Personnel Board, Charles Baron – Tax Incentive Program Committee and Richard Brewer – Energy Committee. Second by Mr. Ouellette. The Board voted unanimously in favor.
2. **Motion** made by Mr. Dutra to appoint Herve W. Vandal, Jr. as Constable-Civil Process Only. Second by Ms. Shufelt. The Board voted unanimously in favor.
3. **Motion** made by Mr. Vieira to appoint William Harkins as BOH Regular Rep and James Walsh as BOH Alternate Rep to the Water Resources Management Committee. Second by Ms. Shufelt. The Board voted unanimously in favor.
4. Present: Scott M. Sylvia. **Motion** made by Mr. Vieira to appoint Scott M. Sylvia as a seasonal laborer for the Cemetery Department. Second by Mr. Dutra. The Board voted unanimously in favor.

Fire Chief Legendre – RE: Request for the creation of a Gift Account – Westport Fire Explorer Post 774.

Fire Chief Legendre stated he was requesting that the Board of Selectmen have the Town Accountant create a gift account in the name of the Westport Fire Explorer Post 774; similar to the Westport Police Explorer Post 305. The program was created to get an early interest in the Westport's youth to learn about firefighting and allowing children between the ages of 14-18 to learn the basic responsibilities of firefighting with the possibility of them wanting to become a call-firefighter when they turn 18 years of age. Chief Legendre stated the Explorer Post is sponsored and insured through the Boy Scouts of America; the gift account will allow his Department to deposit Explorer dues and allow them to pay for any expenses of the Explorer Post. Ms. Shufelt stated to the Chief, what a great job on social media about this. Chief Legendre stated they have eight kids involved and Pascoag, RI is sending some more. **Motion** made by Mr. Dutra to approve the request for the creation of a Gift Account for the Westport Fire Explorer Post 774. Second by Mr. Ouellette. The Board voted unanimously in favor.

Action Items

1. **Motion** made by Mr. Dutra to approve the request from Maria Benjamin, 166 Highland Avenue for a “Caution Autistic Child” sign as recommended by Lt. Bell. Second by Mr. Ouellette. The Board voted unanimously in favor.
2. An invitation to the Westports of the World Conference was received; this matter will be referred to the Cultural Council and placed on the Town's website. Mr. Dutra stated he has spoken with some officials and he may have someone interested in participating. Mr. Ouellette noted that contact should be made to Ms. Pariseau, who was actively involved in this.
3. Mr. King explained the Community Compact from Governor Baker in regards to “Best Practices”; Mr. King stated the costs will be indirect to the Town. Mr. Dutra stated the Lt. Governor spoke on this and more than half of the cities and towns of the Commonwealth are already involved. Mr. King stated the Town, in order to participate, fills out a simple application and if approved, signs the Community Compact; the Town then selects from several categories for best practices for evaluation; multiples can be selected, we are not constrained to just one. Mr. Dutra stated this helps with when we are applying for technical grants. Mr. Sullivan asked if the School Committee has been contacted regarding the education part. Mr. Vieira stated we can share this with the School Department; financial procedures will help us; he endorses this program. Ms. Shufelt stated the Budget Advisory Group has been consistent in speaking on this with the Schools. Mr. Vieira stated if we join, we are not limited. Mr. Dutra stated he felt the Board should get this going and not waste anymore time; every town around us has already signed on; we can kick an item to the individuals for comment. Mr. King stated he will start by filling out the application and will contact the School Department, Water Resources and Energy Committee and ask for their input; he felt it was good to start with these three. Mr. Ouellette was on-board with this. **Motion** made by Mr. Dutra to follow the Town Administrator's recommendations. Second by Ms. Shufelt. The Board voted unanimously in favor.
4. Mr. King explained the request to increase the Seasonal Cemetery Laborer wage rate from \$11/hour to \$13/hour due to getting qualified people to apply. Ms. Shufelt asked if there were any other seasonal rates; Mr. King stated highway pays 90% of the drivers rate but this is similar to what is paid to the Lifeguards and in most cases, the work is more strenuous. **Motion** made by Mr. Dutra to increase the rate to \$13/hour subject to the Personnel Board's approval. Second by Ms. Shufelt. The Board voted unanimously in favor.

Liquor Licenses – None.

Town Administrator Report

Piping Plovers: Mr. King stated that due to the increase in the pairs of Piping Plovers, the State is willing to relax the restrictions in areas where Piping Plovers may nest; the most immediate impact

may be on the Beach Avenue Management Plan. Mr. King stated he is currently obtaining and reviewing the modified plans for Plymouth, Barnstable and Orleans in order for us to do something similar. Mr. Ouellette asked if the Town has received an inventory showing if we are high or low, in order to see if we are in the running. Mr. King stated we would be in the running. Mr. Sullivan stated he knew that Sean Leach was going before the ConCom tomorrow night to go over what has been filed with National Heritage. Mr. King stated there would be no impact this year. Ms. Shufelt referred to the news article provided by Mr. King. Ms. Shufelt asked if we were waiting to see if this affects our management of the road. Mr. King stated yes. Ms. Shufelt asked what the current status was of the Beach Avenue plan with the State. Discussion ensued. Ms. Shufelt stated she was there the other day, there are closed signs and the sand is pretty deep; so, if we are closed by the State, shouldn't the signs reflect that because it is not us closing it. Mr. Sullivan explained what has transpired down there; stated that Ms. Shufelt has a good point; we should have signage that reflects accordingly who closed the road. Mr. Vieira stated it is closed to traffic only. Discussion again ensued. Mr. King stated he will address this tomorrow. Mr. Alves, Highway Dept. stated that even with signs, people will do what they want. No votes were taken.

Traffic and Parking – Old County and Drift Roads: Mr. King stated he has formed an interdepartmental task force to look at the problems of traffic and parking in this area; Mr. Hartnett has contacted SRPEDD for assistance; our first meeting will be this week. Jon Alden asked if it would be appropriate to have a member of the Neighborhood Association present to provide input; Mr. King stated the interdepartmental committee will be seeking comment from the neighborhood that lives there. Mr. Sullivan asked if the meetings were public; Mr. King stated the first meeting will be a closed meeting but the rest of the meetings will be open.

Board of Selectmen Meeting Room Projector: Mr. King stated the meeting room now has the new white board installed. Mr. Vieira stated the Cable Advisory Board met last Thursday and we had some issues here tonight before we started, we need to address the issues of taping and audio at our next meeting. Mr. Sullivan asked Mr. King for a report on what happened tonight for the next meeting.

Town Hall Electrical Problem: Mr. King stated we had another electrical problem in the Town Accountant's Office; there was an overload and the circuit breakers kept shutting down; we had the electricians in and everything is back to normal.

Annex Playground Vandalism: Mr. King reported that someone damaged the slide at the Annex Playground; the cost to repair it will be about \$5,000. Mr. Dutra asked if it was easier to replace the whole setup rather than replace that one slide. Mr. King stated no. Mr. Dutra stated he has heard a lot of complaints about the Annex building, we need to have some sort of protocol rather than relying on the Day Care Center; Recreation should be overseeing this. Mr. King stated we have been using the Town Hall Maintenance Person for emptying the trash and picking up the litter and cutting the grass but the port-o-potty needs to be cleaned. Mr. Dutra stated the port-o-potty needs to have a maintenance schedule. Discussion ensued. Mr. Sullivan asked Mr. King to contact Recreation and get them involved. Mr. Sullivan questioned the budget for Recreation. Mr. King stated the Revolving Account has about \$4,800 in it. Mr. Vieira stated maybe we can get donations for this. Mr. Sullivan asked Mr. King to make an appeal to get private funds to address the playground. Mr. Ouellette stated maybe we can get some media on it. Ms. Shufelt mentioned maybe some Pokemon people. Mr. King stated he would be working on this.

Monthly Departmental Reports: Mr. King stated he has provided the Board with monthly reports of the Marine Services, COA Director and Veterans Services. Ms. Shufelt stated she liked getting the reports.

Management Letter Responses: Mr. King stated he has received responses from the various departments in regards to the Management Letter; he was still waiting for reports from the Treasurer and Tax Collector.

Westport Food for Friends Food Pantry: Mr. King stated he provided the Board with a letter from the Director of the Westport Food Pantry; it summarizes the activities in June and their upcoming event. Mr. King asked if Mr. Sullivan could announce this. Mr. Sullivan announced that the Westport Food

Pantry would be having a clam boil at the VFW in Fall River on September 9th, tickets are available by calling 774-201-0566. This information will also be placed on the website.

State Law relative to Transgender Anti-Discrimination: Mr. King stated that KP Law (Town Counsel) has provided a summary of the new state law “An Act Relative to Transgender Anti-Discrimination” as it may impact municipalities; the Board has been provided a copy. Mr. King stated this is so the Town must ensure our public facilities are gender neutral, so we need to review them for compliance.

Discussion Items – None.

Minutes

1. **Motion** made by Mr. Vieira to approve, with amendments, the Regular Meeting Minutes of June 13, 2016. Second by Ms. Shufelt. The Board voted 3 in favor, 2-abstentions (Dutra, Ouellette). Amendments: page 8 – item #8: delete Shufelt, insert Sullivan.

Selectmen Liaison Committee Reports

Mr. Vieira stated we have kind of put Mr. King in charge of the Cable Advisory Board; we have a meeting last week and were kind of bogged down with some disagreements with staff but we are going to work on them.

Question and Answer Period – None.

Board Members Suggestions for Future Agenda Discussion / Action – None.

Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting – None.

Other Business

1. Ms. Shufelt asked for an update on the noise complaint from the Building Inspector. Mr. Sullivan stated Mr. King has been away for a couple of days but he will be looking into this.
2. Ms. Shufelt stated the Middle School grass has not been cut when she drove by this morning; is this on a routine schedule. Mr. King stated the Town Hall maintenance person is mowing and it is to be done every other week. Ms. Shufelt stated it looked pretty tall to her.
3. Ms. Shufelt reminded everyone that on August 2nd, is the voting date for the Ballot Question for the new Police Station. Mr. Sullivan stated this is a single question ballot initiative. Mr. Sullivan stated this is the second half of the approval process; Town Meeting has already approved these funds. Mr. Sullivan stated at Town Meeting, Police Chief Pelletier did a presentation; and the plan is to build a new Police Station adjacent to the Fire Station; the Police Station Building Committee did a lot of work on this and the Board of Selectmen are unanimously in support of moving ahead on this; we need to start investing in our infrastructure. Everyone was urged to get out, vote and support this.
4. Mr. Ouellette thanked Selectman Vieira for supplying candy at the 4th of July parade; the Fair was great weather and a lot of people attended.
5. Mr. Vieira stated we tried before to have a Police Station when the Fire Station was being worked on but it was shot down; there is a need for a new modernized Police Station; this has to be a priority for public safety; it is the right location and priced right for the Town; please go out and vote.
6. Mr. Vieira recognized the Westport Public Library for their programs for small children; he attended a puppet show with his grandchildren and it was great; things like this should be publicized because we do have a lot of good things in our Town, that should be taken advantage of. Mr. Vieira stated we have a lot of volunteers doing a lot of good things and we need to publicize them more so people won't be disappointed that they missed some of these things.
7. Ms. Shufelt thanked the Police Chief for all the information on the new Police Station; he has done a great job on social media; if anyone has a question, please contact us because the information out there is as public as we know how to make it.

7:30 PM

Motion made by Mr. Ouellette to adjourn the Board of Selectmen meeting. Second by Ms. Shufelt.
The Board voted unanimously in favor.

Adjournment.

Respectfully submitted,
Diane Pelland, Administrative Asst/Confidential Clerk
to the Board of Selectmen

APPROVED: Shana M. Shufelt, Clerk